# Report

# Proposal For In-Depth Policy Analysis Study On Biodiversity And Related Policy Issues In Monduli District

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# Proposal for In-depth Policy Analysis Study on Biodiversity and related policy issues in Monduli District

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# **Abbreviations and Acronyms**

ACTS: African Centre for Technology Studies

ANR: Amani Nature Reserve
AWF: African Wildlife Foundation

CAMPFIRE: Communal Areas Management Programme for Indigenous Resources

CBNRM: Community-based Natural Resources Management

CBO(s): Community-based Organization(s)
CCS: Community Conservation Services
DAS: District Administrative Secretary

DC: District Commissioner

DCFO: District Catchment Forest Officer

DED: District Executive Director DFO: District Forest Officer DLO: District Land Officer

DNR: Department of Natural Resources
DNRO: District Natural Resources Officer

DWO: District Wildlife Officer

EPIQ: Environmental Policy and Institutional Strengthening Indefinite Quantity

Contract

FAO: Food and Agricultural Organization FBD: Forestry and Beekeeping Division

FINIDA: Finish International Development Agency

FR(s): Forest Reserve(s)
GR(s): Game Reserve(s)

GCA(s): Game Controlled Area(s)
GEF: Global Environmental Facility
IRA: Institute of Resource Assessment

JFM: Joint Forest Management

JICA: Japanese International Cooperation Agency
LEAT: Lawyers Environmental Action Team
LGFR(s): Local Government Forest Reserve(s)

MDC: Monduli District Council MDP: Monduli District Programme

MNRT: Ministry of Natural Resources and Tourism NEMC: National Environment Management Council

NCA: Ngorongoro Conservation Area

NCCA: Ngorongoro Conservation Area Authority

NGO(s): Non-government Organization(s)

NORAD: Norwegian Agency for International Development

NFP: National Forestry Program

NP(s): National Park (s)

NRM: Natural Resource Management

NR(s): Nature Reserve (s)

PA(s): Protected Area(s)

PPMA: Participatory Planning and Management Approach

PMO: Prime Minister's Office

PORI: Partnership Options for Resource Use Innovation

RCFO: Regional Catchment Forest Officer

RFO: Regional Forest Officer

SAPU: Strategic Analysis and Planning Unit

SO2: Strategic Objective 2

TAWICO: Tanzania Wildlife Corporation
TFPA: Tanzania Forestry Action Plan
TANAPA: Tanzania National Parks Authority

TFR: Territorial Forest Reserve

USAID: United States Agency for International Development

UNDP: United Nations Development Program

VPO: Vice President's Office VFR(s) Village Forest Reserve(s)

WISDOM: Wildlife for Sustainable Development of Man

WMA(s): Wildlife Management Area(s)

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## **Executive Summary**

This Report contains the results of the initial scoping exercise, commissioned by EPIQ Tanzania Natural Resource Management Project and carried out by two consultants in Monduli District in December 1998.

The purpose of the scoping mission was to develop a scope of work for an in-depth policy analysis study of biodiversity-related issues using Monduli as a case study. Analysis of the policies and results of the field work indicate that there is a gap between policy formulation and decision making processes at the national level and policy implementation at the district and local communities level. Most of the biodiversity conservation related policies have recently been revised. To that effect, aspects of local community involvement and empowerment so that they become partners in managing biodiversity resources and also become beneficiaries of the products thereof is gaining support. However, this is yet to become a reality on the ground because district authorities and people at the grassroots are of the opinion that management decisions in relation to biodiversity continue to be taken by central government officials and not at the local level. Thus, having local community focused policies is one thing and implementing the same is another thing and if not carefully interlinked through appropriate strategies and guidelines conflict can arise as discussed in this report.

Section One of the Report outlines the background to the EPIQ study and the scoping mission terms of reference. The background to the proposed EPIQ policy analysis study on biodiversity-related policies is summarized by showing the relationship that exists between EPIQ and other partners and the contribution of the study to EPIQ and the other partners' initiatives in biodiversity conservation.

Section Two of the report is a brief analysis of biodiversity-related policies, particularly institutional arrangements for implementation, support to community-based biodiversity conservation, implementation strategies, and weaknesses and potentials.

Section Three of the report examines the institutional arrangements for biodiversity-related policies' implementation at the district level. The section sketches very broadly how the policies are being implemented in Monduli District.

Section Four of the report contains a draft proposal for the in-depth policy analysis study of biodiversity-related policy issues in Monduli District. It discusses how issues raised during the scoping exercise are going to be addressed in the in-depth study, by whom and the level of effort required. Then a general conclusion follows.

# 1. Background To The Study And Scoping Exercise

#### 1.0 Introduction

Tanzania has a long history of wildlife conservation. The country has in place biodiversity-related legislation and policies and the Government has created a large network of different types of protected areas. However, despite of this, the country is still losing significant amounts of natural biodiversity as a result of human pressures, and associated exploitation of land resources. Furthermore, resource use pressures have led to considerable antagonism vis-à-vis conservation, a feature exacerbated by the low priorities given in the past to ensuring that conservation policies are supportive to local communities.

## 1.1 Background to Proposed EPIQ Study on Analysis of Biodiversity-Related Policy Issues in Monduli District

EPIQ is preparing to conduct a policy analysis (study) of biodiversity-related policy issues in Monduli District. The district has been chosen as a case study because it is part of the Tarangire/Lake Manyara Complex where USAID SO2 program is seeking to establish community-based conservation activities. EPIQ supports community conservation initiatives although with an emphasis on the same areas as those of SO2 focus, Monduli District is also an area of interest.

The study came as a result of the complimentarity that exists between the UNDP/GEF East Africa Cross-border Biodiversity Project and EPIQ/Tanzania's Mission. The UNDP/GEF East Africa Cross-border Biodiversity Project is a three government and UNDP/GEF project. GEF is a Multi-National Trust Fund Mechanism which supports globally significant environmental activities world wide, biodiversity being one. GEF funds are disbursed through three Implementing Agencies, namely, UNDP, UNEP and the World Bank. The UNDP is the implementing agency for the UNDP/GEF East Africa Cross-border Biodiversity Project.

In East Africa, the UNDP/GEF Cross-border Biodiversity Project is working towards reducing biodiversity loss at cross-border sites. The project will be implemented through national Environmental Agencies, with a regional advisory component. Although each country has a national office for coordination, the thrust of the project activity will be the districts, at the individual biodiversity sites themselves. In Tanzania, the executing agency is the National Environment Management Council (NEMC).

The UNDP/GEF East Africa Cross-border Biodiversity Project will work with communities and with district policy initiatives that affect forest and wetland resources in four cross-border sites. In addition the project will look at central government policy

issues which influence the conservation of biodiversity at local levels. This would include incentives and disincentives for conservation, both fiscal and non-fiscal, including access, tenure and greater awareness of options and alternatives for sustainable resource use. In Monduli District the Project is working towards conserving the biodiversity values of the dry montane forests among other things.

Both UNDP/GEF East Africa Cross-border Biodiversity Project and EPIQ Tanzania initiatives address enhancing community based conservation activities. While the former addresses additional aspects of integration and policy linkages at local, national and regional levels, the latter supports policy and institutional analysis and coordinating partner policy initiatives among other things.

However, while developing the UNDP/GEF East Africa Cross-border Biodiversity Project there are issues of particular concern to Monduli district authorities that unfortunately, although recognized by the Project as important, are not covered in its budget. In order to address them, the Project opted for linkages with other natural resources management initiatives in Monduli, and the USAID SO2 team expressed willingness to set aside some funds for that.

One of the activities that USAID SO2 agreed to finance is a policy analysis study of biodiversity-related policy issues in Monduli District. The study is to be carried out between February and March 1999.

The aim of USAID SO2 is to build a foundation for adopting environmentally sustainable natural resource management practices to ensure long term sustainable economic growth in Tanzania. One of the management regimes of USAID SO2 is to support community-based conservation in buffer zones of Ugalla and corridors and dispersal areas in Tarangire/Lake Manyara Complex.

Another partner in the biodiveristy conservation initiative in the country is the African Wildlife Foundation-Community Conservation Services (AWF-CCS) through its Partnership Options for Resource-Use Innovation (PORI) project. This project deals with the devolution and promotion of community-based natural resources management outside protected areas on lands owned by communities, and supported by local districts. The PORI project is designed as a package of results that will contribute to the achievement of the USAID Tanzania Mission's Strategic Objective 2. The AWF-CCS PORI project component 1 is concerned with community natural resources management (NRM) catalyzed and supported in targeted pastoral areas adjacent to Tarangire and other protected areas in northern Tanzania.

The unifying theme for all the projects is the development of innovative and effective management regimes for biodiversity conservation in a range of field circumstances, given the diversity of stakeholders and their potential roles.

As the initiatives of both projects is to address enhancing community-based conservation activities, the creation of an appropriate policy and institutional framework and the

establishment of replicable approaches to biodiversity conservation are crucial and hence the relevance of the EPIQ study.

The study will equip EPIQ and the UNDP/GEF East Africa Cross-border Biodiversity Project and other partners in biodiversity conservation in the country with information on how national biodiversity-related policies are being implemented at the district level (using Monduli District as a case study) and will also identify areas that need support. Lessons gained will be applied in other parts of the country. The study will therefore form a replication of positive results to other targeted districts by both partners.

## 1.2 The Scoping Exercise

The scoping exercise was commissioned by EPIQ/Tanzania Natural Resource Management Project. This is a buy-in project to the EPIQ Project (Environmental Policy and Institutional Strengthening Indefinite Quantity Contract) with USAID/Washington Global Bureau. Its main objective is to support achievement of USAID/Tanzania's Strategic Objective in Environmental/Natural Resource Management (E/NRM).

The purpose of the scoping mission was to develop a scope of work for the in-depth policy analysis study that is going to be conducted between February and March 1999. The scoping exercise was carried according to terms of reference (see 1.3) which are summarized as follows:

- to identify and narrow-down potential biodiversity-related policy implementation impacts at the district level.
- to ensure that the issues to be studied in the in-depth study and addressed in the relevant biodiversity-related policies fairly represent those articulated by the local communities in the Monduli District.

## **1.3** Terms of the Scoping Exercise

The following are the terms of reference for the scoping exercise:

- 1) To interview relevant government institutions in Dar es Salaam on the planned study.
- 2) To review existing National Biodiversity-related policies: Environment, Wildlife, Forestry and Bee-keeping, Land, Water, Energy, Agriculture and other related policies.
- 3) To meet with and carry out open-ended interviews with Monduli district officials regarding policy implementation in the district.
- 4) To examine the institutional arrangements in Monduli district and show how they relate to the relevant policies.

- 5) To survey the existing by-laws in Monduli district and show how they relate to the relevant policies
- 6) To prepare a draft proposal for the more in-depth study "Analysis of Biodiversity related policy issues in Monduli" to be conducted between January and March 1999. The proposal should spell out team composition, areas to be addressed and detailed level of effort.
- 7) To prepare a report of the scoping mission.

#### 1.4 The Scoping Methodology

The guiding principle for the scoping mission was that an issue should be addressed in the in-depth study if the information generated during the scoping exercise is such that the issue is likely to be essential to making a decision about biodiversity-related policy implementation at the local level.

The scoping exercise involved a number of activities that included a brief analysis of biodiversity-related policies among other things. The consultants visited the Ministry of Tourism and Natural Resources (Wildlife Division, Forestry and Bee-keeping Division), Ministry of Lands and Settlements (Commissioner for Lands), Ministry of Water and Ministry of Energy and Minerals, Vice President's Office (Division of Environment), and President's Office (Planning Commission). Interviews were conducted and biodiversity-related policies were collected and analyzed.

The consultants also visited Monduli District and surrounding areas and assessed existing biodiversity conservation-related activities to examine their susceptibility to change as a result of the new biodiversity-related policies. The consultants also carried out field surveys in Monduli Juu and Longido Division in Monduli District. The purpose was to see what was happening on the ground in terms of policy implementation as well as conducting on site interviews.

The field surveys involved local communities, institutions and agencies and aimed at raising issues of most concern that should be included in the in-depth study and how different local stakeholder groups can contribute to and participate in the study.

The consultants also participated at a meeting of the village government and elders at Kimokouwa Village in Longido Division, where the people defined and explained their own problems.

The consultants collected a number of relevant documents which are listed in Annex appear in Annex I of this report.

# 2. Review Of Existing National Biodiversity-Related Policies

#### 2.0 Introduction

Tanzania is endowed with a great heritage of terrestrial wildlife (wild animals and forests). The Government has set side Protected Areas (PAs) devoted to wildlife conservation. About a quarter of Tanzania's land area is covered by unique ecosystems in the form of Forest Reserves. National Parks and Game Reserves.

The idea that natural resources can be sustainably managed to help support local communities is gathering support as reflected in the recently revised biodiversity-related policies. The innovative feature of these policies is their support of the sustainable use of natural resources by rural communities. This however, has yet to become normal practice because management decisions in relation to biodiversity resources continue to be taken by central government officials and not at the local level.

# 2.1 Management Regimes for Conservation of Biodiversity in Tanzania

The management regimes for the conservation of biodiversity in Tanzania constitute about six categories. The first category is a network of National Parks (NPs) as the highest category of Protected Areas (PAs) with no consumptive use of resources, and as the basis of photographic tourism industry, education and research.

The second category of management regime is Game Reserves (GRs) and Game Controlled Areas (GCAs) where wildlife co-exists with humans and where restricted consumptive or non-consumptive use of resources is permitted.

The third category of management regime is Forest Reserves (FRs) which are created through the Forest Policy and Forest Ordinance. Of the total of 570 Forest Reserves (FRs) which cover around 15% of Tanzania's surface area, 3% overlap with Protected Areas devoted to wildlife conservation.

The fourth management regime for biodiversity conservation focuses on nature reserves. In May 1997 under section 30 of the Forest Ordinance the Amani Nature Reserve (ANR) in Tanga Region was established as the first NR in Tanzania. As a category of PAs, Nature Reserves fall between the NPs and FRs because NRs have restricted consumptive uses compared to FRs.

In the changing policy and structural context in the wildlife and forest sectors, a fifth management regime has emerged: the devolution of Community-based Natural

Resources Management (CBNRM) outside protected areas on lands owned by communities, and supported by local districts.

The sixth major management regime focuses on the conservation of biodiversity in marine ecosystems. These are established under the Marine Parks and Reserves Act of 1994. The Mafia Marine Park has been established. Apart from the National Fisheries Policy, there is no specific policy on the management of marine resources. However, efforts are now underway to establish a policy for integrated coastal zone management in Tanzania through the Tanzania Coastal Management Program (TCMP) which is being supported by USAID and executed by the National Environment Management Council (NEMC).

#### 2.2 Analysis of Biodiversity-Related Policies

The following policy analysis focuses mainly on the wildlife and forest and land policies as these relate directly to Monduli District. This does not however, mean that other related and relevant policies have not been examined.

#### 2.2.1 The Wildlife Policy of Tanzania

#### (i) Institutional arrangements for wildlife management in Tanzania

The existing institutional arrangement for wildlife management in Tanzania is such that the Wildlife Division is responsible for the management of all wildlife, including those outside protected areas. The Division therefore caters for the Game Reserves (GRs), Game Controlled Areas (GCAs) and game open areas. The Tanzania National Parks Authority (TANAPA) is responsible for managing all National Parks in the country. The Ngorongoro Area Conservation Authority (NCCA) is responsible for the Ngorongoro Conservation Area (NCA).

#### (ii) Policy support to community-based resource management

The aim of the Wildlife Policy of Tanzania (1998) is to allow rural communities to manage wildlife on their land for their own benefit and to ensure that these communities benefit from living adjacent to protected areas and among wildlife. The Policy emphasizes community participation and integrating land use planning with wildlife conservation through the establishment of Wildlife Management Areas (WMAs). According to the Policy, the main objective of establishing WMAs is to enable local communities and villages to have direct control on wildlife and therefore assist in wildlife conservation.

According to officials of the Wildlife Division, Wildlife Management Areas preceded the policy as they have been, for the past ten years, operating albeit on a pilot basis without a formal policy or any legal backup. However, despite the existence of a number of innovative pilot schemes, general guidelines are yet in place which could assist community groups on a large scale to begin to manage their resources through the

establishment of wildlife management areas. Ministry officials have hinted that such guidelines are now under preparation and when in place communities will be able to access information and services that will enable and support them to manage wildlife resources by establishing wildlife management areas as directed by the new Wildlife Policy of Tanzania.

#### (iii) Policy implementation strategy

Although the Wildlife Policy of Tanzania seems to be supportive of community-based conservation through the establishment of WMAs, it is not clear from the Policy as to who will be responsible for establishing them. However, a close look at the two main objectives of the Policy that are relevant to community-based conservation, seems to suggest that WMAs will be established by agreement between wildlife authorities and local communities then its management will be transferred to the concerned local communities.

The extant practice in establishing WMAs is such that villagers will normally set aside the area they intend to be used as a wildlife management area. Then the Wildlife Division through its Pilot Project Officers provides technical advice and guidance. The villagers become responsible for the management of such area. The Village Wildlife Management Committee established by the Village Government provides the link between the WMA and the Wildlife Authority (Pilot Project Office). Proceeds from the Wildlife Management Areas are credited to the village account and the Project utilizes the funds to support public or community services for example, to improve water supply, to build schools or dispensary utilities etc.

#### **Lessons and Weaknesses**

- 1) Villages/communities are given user rights only and allocated quotas. Ownership of wildlife remains with the government.
- 2) Institutional linkages and decision-making mechanisms at the grassroots level are still very weak. Villagers or local communities are on the receiving end only. The government still dictates terms. Local communities hardly can influence.
- 3) In some villages, Wildlife Management Committees sometimes override powers of the Village Government. For example, a Village Wildlife Management Committee may decide to utilize the money allocated to the village as its share from revenue accruing from wildlife conservation to pay for development levy of each villager instead of putting them to conservation, as what happened in one village in Mara region.
- 4) The allocation of hunting quotas in effect denies people their traditional hunting rights. Consequently, commercial hunters are gaining more access to wildlife resource than local hunters.

- 5) The WMA system is unsustainable. As a pilot project, it lacks an in-built mechanism to empower and build capacity to manage and control wildlife resources, for example through training of village game scouts, book-keepers etc. Logistics in use are currently outside the village powers and control.
- 6) Although the concept of WMA has been used in many parts of the Policy, there is no single meaning that could be ascribed to it. No attempt is made to define or even outlining its main elements has been made in the Policy. Invariably the concept has been used in the Policy to mean the following:
  - i. A community-based conservation scheme operated by rural communities; or
  - ii. A new category of protected areas established for purposes of effecting community based conservation; or
  - iii. An area established by rural communities for managing wildlife in areas of critical wildlife habitat; or
  - iv. A system of community based conservation programme; or
  - v. A means for making rural communities practice community-based conservation; or
  - vi. A community-based conservation programme operated by rural communities.

#### **Potentials**

Through the WMA system, the basic social needs of community could be supported. It could be a good incentive to conservation. Not only that but also it was reported by the villagers that in the past, Game Scouts or Game Officers were seen as enemies but through the programme things have changed. Villagers can now report poachers (those coming from outside the village) to Game Scouts.

The WMA programme however, provides an avenue for joint effort and action between government and local communities.

#### 2.2.2 The National Forest Policy

The new National Forest Policy (1998) was comprehensively formulated to cover all forests regardless of ownership or administration and includes trees on farmlands. The concepts of forest sector and forest administration defined and used in the policy comprise all wood and non-wood-based forestry activities.

The new National Forest Policy proclaims that it was prepared with the involvement of relevant stakeholders. Further that it is based on an analysis of the ecological and economic needs of the country and availability of human and other resources. The Tanzania Forestry Action Plan (TFAP) which was completed and adopted by Government in 1988 provided the basis for the policy review. The formulation process involved both sectoral and cross-sectoral stakeholder contributions.

#### (i) Institutional arrangement for forest management in Tanzania

The new National Forest Policy and the Forest Ordinance are the main government instruments for the management and administration of forest resources in the country including public woodlands. Human activities in forest reserves are only permitted under license or any other valid official document.

Before examining the institutional arrangements for forest management in Tanzania, it is pertinent to analyze briefly the classification of forests. In Tanzania forests are classified first as national forests which consists of forest reserves or nature forest reserves and forests on public lands which are not reserved and of which the right of occupancy or a lease have not been granted to any person or body.

The second category of forests are local authority forests which comprise of local forest reserves and forests on public land which are not reserved and of which the right of occupancy or a lease has been granted to the local authority.

The third category of forests are village forests which consist of village forest reserves, community forest reserves and forests which are not reserved which are on village land and of which the management has been delegated to the village council.

Private forests are the last category of forests. These include forests on plantations on land of which the right of occupancy or a lease has been granted to a person or persons or other bodies or associations such as NGOs for the purpose of managing the forest or developing and managing the plantation.

The institutional arrangement for forest management is broadly divided between central and local government authorities depending on the category of forest. The existing institutional arrangement is such that at the national level, Gazetted Government Forest Reserves or Territorial Forest Reserves (TFRs) are administered by the Forestry and Beekeeping Division (FBD) of the Ministry of Natural Resources and Tourism (MNRT). Local government (district) authorities are responsible for the management of Local Authority Forestry Reserves (LAFRs). Districts have the authority to delegate management responsibility for a LARF to any individual.

About one hundred Territorial Forest Reserves have been designated "Catchment Forest Reserves." These are administered by the FBD under the Catchment Forestry Programme. Currently, the programme is being implemented in Arusha, Kilimanjaro, Morogoro and Tabora Regions and is being supported by donor funds.

At the district level, the officer immediately responsible for the protection of a Territorial Forest Reserve is the District Forest Officer (DFO), supported by Regional Forest Officer (RFO). In the case of a Catchment Forest Reserve, the responsible officer at the district level is the District Catchment Forest Officer (DCFO) supported by the Regional Catchment Forest Officer (RCFO).

The new National Forest Policy envisages the allocation of forests on public lands to private individuals and the establishment of village and local government forest reserves. The promotion of private, village, local government and community-based ownership of forests and trees entails a new institutional arrangement and legal framework.

According to the National Forest Policy, village governments or other entities such as NGOs, user groups, associations, religious institutions, etc will manage village forest reserves. Furthermore, the Policy directs that farmers will be entitled to have owner rights of indigenous species including reserved species and not only planted exotic ones. However, issues concerned with forest land and tree tenure are yet to be sorted out. The proposed Bill for Land Act (1998) and Village Land Act (1998) respectively, which implement the National Land Policy of 1995 are expected to take care of some of the issues of forest land tenure. However, because of some controversies surrounding some issues in the two bills, they have been delayed to be passed by Parliament until the issues have been sorted out. The process of seeking to protect forest land through land law may therefore take longer than anticipated thus creating uncertainties in the conservation of forestry in the country.

There are no provisions in the existing forest law for "village-managed" forest reserves. However, reference to the Local Government (District Authorities) Act of 1982 suggests that registered villages have authority to enact by-laws for the management of forests within village boundaries, provided that those by-laws do not conflict with provisions of national law.

Following the ongoing civil service reforms and the creation in 1997 of the Ministry of Regional Administration and Local Government, the administration of districts which were formerly under the Prime Minister's Office (PMO) is now to become the responsibility of the Minister for Regional Administration and Local Government. Thus, administratively the DFO reports to the local government authority while technically is answerable to the Forestry and Bee-keeping Division (FBD) in the Ministry of Natural Resources and Tourism (MNRT). This creates some weaknesses and conflicts within the management and administration of the forestry sector in Tanzania. There is need for the in-depth study team to analyze the Local Government Policy and the proposed Bill for Local Government Authorities. Under the proposed Bill for Local Government Authorities Act proposes sectoral natural resource laws are to be subordinated to local government laws.

#### (ii) Policy support to community-based conservation

The current policy of government is to involve communities in the management of forest resources. This is clearly stipulated in the new National Forest Policy (1998) which states that communities surrounding forest reserves will be empowered to manage and control forest resources around them through the establishment of village forest reserves (VFR) and community-based organizations (CBOs) for joint forest management (JFM).

The Policy therefore recognizes the role of local communities or villagers as partners in forest resources management and conservation. It stipulates that local communities will be encouraged to participate in forestry activities. It provides further that clearly defined forest land and tree tenure rights will be instituted for local communities, including both men and women. The Policy directs that the establishment of village forest reserves, community-based organizations for joint forest management, exchange of information and awareness raising will be promoted.

As there are yet no guidelines in place to assist communities in establishing Joint Forest Management programmes, one critical question is HOW this is to be done and exactly HOW are local communities going to be involved in forestry-related planning and decision-making.

The Policy stipulates also that to reduce uncontrolled use of forests, allocation of forests on public lands to villages, private individuals and the government will be promoted so as to have defined owner. The primary policy instrument in this regard is the establishment of village forest reserves (VFRs). According to the Policy, Village institutions will be granted appropriate user rights as incentives for sustainable forest management including rights to indigenous trees. The other instruments include the allocation of forest to private individuals and the establishment of central and local government forest reserves (LGFRs). Accordingly, central, local and village governments may demarcate and establish forest reserves.

#### (iii) Policy implementation strategy

The Policy stipulates that as an implementing strategy, local communities will be involved in forestry-related planning and decision making through promotion of participatory extension methods and approaches. The policy also directs that communities will be granted rights to retain revenue from accrued products and services derived from community-managed forests. The legal framework for the promotion of private and community-based forestry, including village forest reserves, is currently non-existent though. Efforts are underway to revise the existing Forest Ordinance in line with the new National Forest Policy.

The Policy stipulates also that a strategically focused National Forest Programme (NFP) to guide policy implementation will be prepared and periodically updated. The FBD is currently working on NFP.

#### **Approach to Community-based Forest Management**

Currently, community-based forest management schemes utilize the management structure of existing local authorities governing machinery, that is the Village Government/Council and District Councils that have been established under the Local Government (District Authorities) Act of 1982.

The practice is for the Forestry and Bee-keeping Division (FBD) to conclude Joint Management Agreements with local communities. Because of lack of legal provisions to support this, the Agreement could, in the interim, be lodged using the provisions of the Forest Ordinance. The Agreement normally includes forest management plans produced in partnership between resource users (local communities) and managers (Forestry Authorities).

Institutional arrangements at the local level are enhanced through Environmental Committees. Under the terms of the Agreement, the Villagers take over the responsibility to manage and conserve forest resources. This includes regulating access by issuing permits and safeguarding traditional rights to forest resources use. The Government undertakes monitoring and issues some guidelines as well as accessing performance.

#### **Existing Joint Forest Management Pilot Schemes**

The Strategic Analysis and Planning Unit (SAPU) of the Forestry and Beekeping Division (FBD) has chosen to work in Ufiome Catchment Forest Reserve in Babati District as a pilot operation. The Division has also concluded a joint forest management agreement with Gologolo Community in respect of joint protection and management of the part of Shume-Magamba Forest Reserve in Lushoto District.

The FBD mandated a team of experts in December 1997 to carry out a study in Ufiome and to suggest a future management strategy. The objective of the study was to identify suitable management approaches to the overall management of the Ufiome Catchment Forest Reserve, by involving local communities on a joint forest management.

The team visited villages adjacent to the forest reserve and held meetings with village leaders. Discussions also took place at the District level. The team identified the critical factors that needed to be considered in involving the local communities in the management of Ufiome and prepared a management strategy. If the Ufiome Catchment Forest Reserve Management model becomes successful it will be replicated elsewhere in the country.

#### Weaknesses

In a forest reserve, villagers are given only access and rights to resource use without affecting conservation objectives. Ownership of the resource remains with the state.

#### **Potentials**

Through local community-based forest management initiatives, illegal activities have declined, for example in Tabora Region where trees were being cut down for tobacco curing. In Babati District encroachment for farming, illegal grazing, pit-sawing and fire incidences have also declined. Forest conservation has clearly improved in those areas while at the same time local communities becoming the main beneficiaries.

It is envisaged that local communities through their Village government would formulate their own by-laws and enforce them, particularly when controlling forest resources outside forest reserves. The procedure for making village by-laws is provided in the Local Government (District Authorities) Act of 1982.

#### 2.2.3 The National Land Policy

The National Land Policy is a comprehensive policy that seeks to guide the allocation, ownership and use of land and help to resolve any recurring land conflicts. One of the central tenets of the Policy is that all land in Tanzania is public property owned by the State and vested by law in the President who holds it in trust for the people. This means that legally Tanzanians are allowed only use and occupation of their land but not "ownership" in the sense of freehold titles.

The other most relevant tenet of the Policy is the recognition of two types of land tenure, namely, the deemed right of occupancy or land held under customary and the granted right of occupancy. Although land administration authorities claim that the two types of tenure are of same status, in practice the deemed right of occupancy or customary tenure is inferior and insecure compared to the granted right of occupancy latter. A large part of pastoral land in Monduli District is held under customary tenure law. The draft Bills for the Village Land Act and the Land Act have also retained the two types of tenure stipulated in the policy.

It is pertinent to consider the National Land Policy because it has significant impact on the wildlife and forestry policies as articulated at the district level. The potential wealth of the arid and semi-arid woodlands of the steppes and lowlands in Tanzania lies in different sorts of resources that are subject to different management regimes. The fact is that much wildlife lives outside protected areas on village owned lands. Furthermore, in order to have in place a working system of wildlife management areas or joint forest management, issues of land tenure need to be clear.

#### (i) Institutional arrangement for land management in Tanzania

The existing institutional arrangement for land management in Tanzania is such that the Commissioner for Lands in the Ministry of Land and Development of Settlements is the administrator of all land in the country. The Commissioner has authority acting on behalf of the President to grant land rights. The President is the overall "landlord" with powers to revoke title deeds for any "good cause" under the Land Ordinance, Cap.113 and to acquire any land for "public use" under the Land Acquisition Act of 1967.

Local authorities have been delegated with powers to grant land rights but subject to certain limitations as the number of acres they can allocate. District Councils may grant rights over land not exceeding two hundred (200) ha while Village Councils can grant up to twenty (20) ha only.

#### (ii) Policy support to community-based land management

The new National Land Policy has various provisions that have an impact on local communities. They include provisions which concern individual land titles on communal land; provisions on village land use plans; provisions on village boundaries and provisions on pastoral land rights. These provisions are discussed below within the context of policy implementation strategy.

#### (iii) Policy implementation strategy

#### Village Land

The National Land Policy (1995) seeks to control and protect land in villages, by requiring every Village Councils to be given documents (known as Certificate of Village Land) indicating boundaries of their land but this will not amount to ownership.

The Policy also allows individuals to obtain titles within an area not designated for communal uses, land conservation and other specified village or community projects. According to the Policy, villagers will, through their village assemblies, be allowed to survey such lands and get separate Certificates of Village Land.

#### **Village Land Use Planning**

The National Land Policy takes cognizance of the fact that progress in village land use planning has been very slow and without adequate participation of the users. The Policy advocates for a simplified village land use planning process for speedy execution.

In fulfillment of the above, the Policy directs that local land use plans should be developed collaboratively between District Councils and Village Councils and that the process should be participatory by involving the beneficiaries.

The Policy emphasizes that before embarking on the planning process, there should be studies to determine existing land tenure, land use patterns and land capacity.

According to the Policy, village land use plans are a tool for implementing policies for better land use and management and are a basis for guiding extension service packages including techniques in agriculture, livestock, forestry, wildlife, fisheries and environmental conservation.

#### **Village Boundaries**

In Policy states that the Government will continue to provide guidance on demarcating village boundaries. In order to speed up the process the Policy enjoins the Government to use the General Boundaries method because it does not preclude the use of fixed boundaries method where appropriate. According to the Policy the aim of demarcating village boundaries is to protect the villager's land rights and promote better and sustainable use of the natural resources within those villages.

#### **Pastoral Land Rights**

The Policy disfavors shifting agriculture and nomadism, for the simple reason that the free movement of pastoralists with their cattle brings about land ownership and land use conflicts with settled communities. According to the Policy, unregulated movement of livestock causes land degradation in areas through which they pass.

Accordingly, the Policy prohibits shifting agriculture and nomadism. The Policy instead encourages modern transhumance pastoralism and calls for the provision of incentives to proper pastoral land stewardship including infrastructure like water supply and cattle dips. The Policy calls for the regulation of cattle movement through coordinated planning and the provision of stock routes and other mechanisms.

#### Weaknesses

Although the Policy recognizes the need for villages to set aside land for conservation purposes, it is not very clear as to whom ownership of such land will devolve. Presumably it will be the Village Council, a corporate body created under local government laws with capacity to acquire and dispose of property including land alienation.

Both the National Land Policy and the Wildlife Policy of Tanzania recognize the need for integrating land use planning and wildlife conservation through the establishment of WMAS. However, the National Land Policy contradicts the Wildlife Policy by stating that Game Controlled Areas not bordering wildlife conservation areas will either be upgraded or be turned to land for resettlement. One of the objectives of the Wildlife Policy is to promote conservation of wildlife and its habitat outside core areas (NPs, GRs & NCA) by establishing WMAs whose aim is to promote the development of rural communities living among or close to wildlife.

Furthermore, this particular policy statement is against the existing wildlife law which allows the creation of hunting blocks and the granting of hunting licenses in game controlled areas as a means of generating revenue of which 25% devolves on villages within those areas as their share from conservation efforts.

#### 2.2.4 The National Environment Policy

The formulation of the national Environment Policy is claimed to have been a bottom-up approach, with the involvement of various stakeholders. It should be realized however, that community participation is more of a concept than what is really taking place on the ground.

#### (i) Institutional arrangement for environmental management in Tanzania

The existing institutional arrangement for environmental management in Tanzania is such that the Vice President's Office is the Ministry responsible for environmental affairs. Within the VPO there is a Minister responsible for environmental issues. The Division of

Environment which is within the Vice President's Office and headed by a Director serves as the link and coordination unit for the line ministries.

The advisory function on all environmental matters devolves on the National Environment Management Council (NEMC), a statutorily established body corporate under the Vice President's Office. NEMC as an advisory body has no enforcement mandate as far as environmental matters are concerned. Sector ministries and institutions handle the management and enforcement of sectoral environmental issues.

#### (ii) Policy support to community-based environmental management

The National Environment Policy does not directly refer to the need to involve communities in environmental management. However, it emphasizes that the protection of the environment must be the responsibility of each and every Tanzanian, just as the quality of the environment is a concern for each and all.

The Policy also recognizes the importance of commitment and genuine involvement of all institutions and sectors of society in effective implementation of the policy objectives. One such objective is to ensure sustainability, security and equitable use of resources for meeting the basic needs of the present and future generations without degrading the environment or risking health and safety. The Policy emphasizes that to achieve sustainable development, it is essential for environmental considerations to be internalized in sector policies and programs, and equally their coordination is crucial.

The Policy envisages the creation of district, ward and village committees on the environment under the auspices of the district, ward and village councils respectively. According to the Policy, district, ward and village committees on the environment will be responsible for coordinating and advising on obstacles to the implementation of environmental policy and programmes; promote environmental awareness; generate information on the environment relating to the district, ward or village and assemble and disseminate it.

#### (iii) Policy implementation strategy

According to the Policy it will be implemented through existing structures which need only to be strengthened. The Policy also envisages the promulgation of framework environmental law as one of the mechanism for providing rules to guide implementation.

The Policy also recognizes biodiversity policy linkages by stating that these policies, strategies and programs are only meaningful in relation to other national policies, strategies and programs. According to the Policy coordination and information dissemination among sector ministries and institutions responsible for natural resources management and conservation are an important need.

The Policy does not contain implementation strategy or action plan. According to officials of the Division of Environment, the Vice President's Office is formulating policy implementation strategy and action plan, which will include guidelines for setting

up an Environmental management Fund and Environmental Management Committees at national and local levels respectively.

#### **Weaknesses**

The details on how the Committees will be formed, their composition, mandate, responsibility and accountability are yet to be worked out.

The Policy emphasizes that linkages with other sectors will be strengthened in order to implement the Policy through existing structures. In doing so the Policy has in fact retained the sectoral approach to environmental management with all the problems bedeviling it such as lack of coordination and linkages between and among sectors.

In recognition of this, the Vice President's Office has commissioned a study financed by the World Bank on Institutional and Legal Framework for Environmental Management (ILFEMP). The study has been mandated to come up with a policy document that will be tabled before Cabinet early 1999. The policy document will outline the various options available to the government as far as environmental management in the country is concerned.

#### 2.2.5 National Agricultural Policy

The National Agricultural Policy aims at improving agricultural productivity through adoption of sustainable farm and land husbandy. It is anticipated that through appropriate policies, problems of food shortage and rural poverty would decline. It is felt that capacity to implement the agricultural policy at the district level is still weak.

#### 2.2.6 National Livestock Policy

The National Livestock Policy aims at improving livestock services and productivity through adoption of environmentally friendly technologies. Some of the main features of livestock development policies include environmentally tsetse fly control methods; conserving and improving grazing lands by promoting planting fodder crops, rotational grazing and how to resolve conflicts between various land-use stakeholders (wildlife, forestry, agriculture, pastoralism and tourism).

Livestock keeping or pastoralism is the main land use activity in Monduli District. To a limited extent mixed farming system whereby large and small-scale farming as well as pastoralism activities are also concurrently taking place in the District. Of these, pastoralism is considered as the main human activity. It centered on free-lance grazing where pasture-land is a common property. Although some Maasai people are adopting some changes in their life style (combining some cropping and pastoralism) the latter is still their main occupation. Livestock keeping is also regarded by the Maasai as having a "farm" and animals being equivalent to crops (e.g. coffee trees).

#### 2.2.7 National Beekeeping Policy

The National Bee-keeping Policy aims at having sustainable bee-keeping industry in Tanzania. The main thrust of the Policy is on local community empowerment and support through appropriate extension services and establishment of bee-keeping reserves in different localities and giving rights to local communities to manage and control own resources.

#### 2.2.8 National Water Policy

The National Water Policy aims at providing clean and safe water to Tanzanians including their livestock resources. It is further anticipated that such water should be within easy reach by the peoples especially women and children. It therefore, advocates protection and safeguarding water sources against any sources of pollution and mismanagement practices.

The policy stipulates that in order to create a sense of ownership towards water supply schemes, the beneficiaries must be involved and motivated throughout the project cycle from initiation, planning, construction, operation, maintenance and protection of schemes according to their ability.

The policy provides further that in order to provide the beneficiaries with full responsibility of supervising their water supply schemes and other related services water will committees will be established at the level of village (Village Water Committees), urban, district and regional level.

Furthermore, the Ministry responsible for water will prepare guidelines that will elaborate on the organizational structure of the water committees and procedures of nominating committee members with due regard of involving all elated sectors and institutions.

The Policy emphasizes the full involvement of women in the Water Committees because they are the main bearers of the burden of searching water and are the ones most affected by the problems of water shortage and poor water supply in rural areas.

The Policy also emphasizes that the underlying principle in the implementation of the Policy is "self reliance", whereby the Village Governments and the villagers themselves, by using their own resources will construct, operate and maintenance of their own small rural water supply schemes as stipulated in the Policy. As a way of achieving this objective, the Policy provides that all villages with water supply or intending to have one have to establish Water Funds and kept in a special separate bank account.

The Water Policy is being revised and thee main areas are emphasized, namely: urban water supply and management; rural water supply and management; and conservation and management of water resources.

#### 2.2.9 National Energy Policy

The National Energy Policy provides a framework for sound management of sources of energy including bio-fuels. Accordingly, over 90% of the national energy balance is

derived from burning wood-fuels. The major sources of wood-fuels being the forests and woodlands. The Energy Policy intends to minimize environmental degradation through promotion and adoption of appropriate energy use options including introduction of energy serving stoves and alternative energy sources.

#### 2.3 Interfaces and Linkages

#### 2.3.1 Old Policies vis-à-vis New Policies

The scoping exercise was done at an interface whereby recently substantial changes have taken place in a number of sectoral policies particularly the land, wildlife, forestry, beekeeping, and mining policies. Other policies such as the water, agriculture and livestock are being revised.

Past sectoral policies did not address clearly the issues of the devolution and promotion of community-based resource management, that is the involvement, participation and empowerment of local communities as far as natural resource management is concerned. The trend now is for the revised and new policies to back up local community initiatives and concerns. Although some of the new policies such as the National Environment Policy lack implementation strategies, guidelines and action plans to operationalize them, the intentions are clear and these policies seem to favour local communities.

Some of the new biodiversity-related policies such as the wildlife and forest policies state very explicitly that local communities will participate in resource management as well as sharing from the benefits accruing from the resources. However, this has yet to be mandated in legislation. There is therefore a need to make laws and regulations that will elaborate how the policies will be implemented in order to make certain these new partnerships in the form of collaborative or joint resource management schemes at the local level as envisaged in the policies.

#### 2.3.2 Central Government vis-a-vis District Level

The Central government is the main policy maker while District authorities and local communities are the main implementers. This means that the central government makes broad policy objectives and suggests strategies and prepares guidelines for policy implementation. District authorities are expected to translate policy objectives into actions guided by relevant legislation. However, experiences in Monduli District indicate that there is a gap between policy making at the national level and policy implementation at the district and local community levels.

#### 2.3.3 Policy formulation vis-à-vis Policy Implementation

It is claimed in most of the new policies that the policy formulation process at the national level was participatory. However, despite this claim, views from and concerns of the policy implementers at the lower level indicate that, to a large extent, the policy formulation process was a top-down approach. That is to say they were formulated with

limited involvement and participation of the implementers/beneficiaries. Because the policy formulation process did not adequately involve the lower cadres, the policies are considered to leave a wide gap between policy makers and the grassroots implementers/beneficiaries.

The importance of reducing the gap cannot be overemphasized hence the need for a detailed study to explore ways and means through which this could be effected.

Apart from reducing the gap between policy formulation and implementation, policy awareness among implementers is equally important. The district authorities and the majority of the local communities must first be made aware of the policies they are supposed to follow or implement. The field experience in Monduli District shows that because people are unaware of the policies it becomes difficult to implement them.

Furthermore, policy documents and relevant legislation are not easily available at the district level. For those officers in Monduli District who happened to have a copy of their sector policy documents, they said that they obtained them though personal initiatives and contacts. Otherwise there is no formal system though which such important government documents could regularly be sent to districts and other institutions including NGOs.

In order for the policies to be effectively implemented they need to be properly interpreted. Policy interpretation is therefore another process altogether. Thus, policy formulation and awareness processes must go together.

The main policy and regulatory institutions are within central Government. Policies and laws are interpreted at Central level of Government. The planning, decision-making, and resource management is not decentralized from national to district level government and from District to Village and local levels and as yet there is little clarity of institutional mandates and responsibilities.

Other problems in policy implementation include lack of coordination and linkages between sectoral policies thus leading to conflicts and disputes. The policies do not cover aspects of conflict resolution or dispute settlement and specifically traditional conflict resolution mechanisms are not addressed. This is an area worth exploring in the study. The policies should state how conflicts relating to resource use for example, grazing rights, water rights, farming area, and conservation are to be resolved at the village level.

#### 2.3.4 Sectoral Focus vis-à-vis Area Focus

In Tanzania sectoral ministries have jurisdiction over the control key resources such as forest reserves, wild animals and land. An important component in the conservation effort has therefore been to promote institutional changes within sectoral bureaucracies in order to encourage them to be more responsive to the needs of local communities. However, these changes have not included the decentralization and transfer of most biodiversity-related resources.

At the national level issues of decreasing access to natural resources, lack of resource tenure and the implications for local people dependent on those resources for securing their livelihoods are now gaining more attention than hitherto was the case. The recently reviewed biodiversity-related policies seem to be supportive of sustainable use of natural resources by rural communities by empowering them to work together with government. However, there is inadequate capability at the district level to implement the policies and conservation programmes effectively and in partnership with local communities.

Furthermore sectoral focus has exacerbated further the lack of coordination and linkages between and among sectors. Consequently this has created contradictions between policies. For example while the Wildlife Policy of Tanzania advocates for community-based conservation in wildlife areas outside of protected areas, the National Land Policy states that those areas will be promoted or turned into settlement and/or farming areas.

#### 2.3.5 Policy Objectives vis-à-vis Policy Strategy

The analysis of the policies revealed that there is a great discrepancy between policy objectives and policy strategy. Taking the Wildlife Policy of Tanzania as a case in point, it seems that as far as wildlife protection is concerned for example, the policy objective is to promote the conservation of wildlife and its habitat outside core areas by establishing WMAs and to transfer the management of WMA to local communities. Now if one looks at the policy strategy for conserving and managing wildlife resources will notice that the state will retain the ownership of, and overall responsibility for management of wildlife resources, in order to ensure that national priorities are addressed and abuses controlled. Clearly, the objective and the strategy are in conflict with each other.

Furthermore, the Policy strategy for ensuring that wildlife conservation competes with other forms of land use areas of critical wildlife habitat is to encourage rural communities to establish Wildlife Management Areas.

It is not therefore very clear from the Policy strategy as to who will responsible for establishing WMAs, the state or the local communities? The Policy stipulates that matters pertaining to how WMAs are going to be established or how they are going to be managed have been left to wildlife conservation legislation.

Another thing is that policies and strategies are rarely reviewed for compatibility, either horizontally (sector to sector) or vertically (national to district to community). There are no mechanisms for policy or strategy review. And because most of the policies lack standard format, they do not provide for implementing strategies and actions. The practice is for the government ministries to prepare the strategies and actions separately.

#### 2.3.6 Wildlife vis-à-vis Forestry

Both the new Wildlife Policy of Tanzania and the National Forest Policy have something in common – conservation of biodiversity resources for sustainable development. The former specifically deals with the management and conservation of wild animals (fauna) while the latter addresses forests (flora) and forest products and related management and

development aspects. The main linkage between the two policies is biodiversity conservation as flora and fauna co-exists almost in the same habitats and ecosystems. Forests offer habitat for wildlife, bee-keeping, unique natural ecosystems and genetic resources.

In its broadest sense the term "wildlife" means the spectrum of living things including flora and fauna as reflected *in the* concept of "biodiversity conservation." This concept is interpreted as "conserving the full diversity of living things" thus expanding the more traditional focus on managing large game and habitat.

According to the Wildlife Policy of Tanzania, the term "wildlife" means "those species of wild and indigenous animals, and their constituent habitats and ecosystems, to be found in Tanzania, as well as those species that have been introduced to Tanzania and that are temporarily maintained in captivity or have become established in the wild."

The Policy cautions that the above definition is not to be applied universally across Tanzania due to the responsibility of other sectors for management of certain areas of land or of particular classes of animals and plants within the operational definition of wildlife. Thus, although wildlife and forestry resources fall under one ministry they are managed separately by two divisions within a single ministry and are governed by two distinct pieces of legislation and two separate policies.

The National Forest Policy makes some reference to wildlife conservation by stating that the management of forest reserves will incorporate wildlife conservation. Furthermore the Policy directs that coordination between the forestry and wildlife authorities will be improved in the management of wildlife inside forest reserves and in resolving conflicts arising from overlapping forest and game reserves or game controlled areas.

There is need therefore for the study to figure out what should be done to improve coordination and performance to such closely related sectors both in terms of resource focus and control.

# 3. Institutional Arrangements For Biodiversity-Related Policy Implementation In Monduli District

#### 3.0 Introduction

In Monduli District, Forestry/Beekeeping and Wildlife Management is overseen by the Department of Natural Resources (DNR) of Monduli District Council (MDC). The Tourism sector is not decentralized down to district level.

The overall objective of the District Department of Natural Resources is to improve sustainable management of natural resources. The Department also provides technical assistance to communities on opportunities to benefit from tourism and bee-keeping.

In its efforts to conserve forest resources, the Department has already initiated a Community-based forestry Management Project with a long-term objective of preparing a detailed plan for environmental conservation and land use management in respective villages for sustainable use of land, forests, wildlife and water so as to raise the standards of living of the community.

The Monduli District Council in collaboration with other partners has developed an Integrated District Development Plan for 1999. The plan charts out the budget for projects to be financed and the contribution of the district and donors. Activities that have been planned focus on increased community participation in management of forests and wildlife. These are covered under the Monduli District Council annual plan which operates from July – June in a fiscal year.

The source of funds for projects that fall under the district annual plan is grants from the central government and District Council's revenue sources. Monduli District has an added advantage because of the presence in the District of a number of donor agencies and internationally supported projects such as the UNDP/GEF Project that is working to conserve the dry montane forest resources.

Furthermore, a number of foreign funded NGOs such as SNV of Netherlands are working in the District supporting development and biodiversity conservation projects. Some of the NGOs are becoming active in sensitizing local communities to take deliberate efforts to safeguard and protect natural resources (especially wild animals) from indiscriminate utilization. In order for the government and donor-supported projects and NGOs' conservation initiatives to have an impact, effective coordination of efforts at the district level is indeed, necessary. This will help to avoid unnecessary conflicts and duplication of efforts. How best this could be done is not easy to tell but is something worth exploring further for a detailed analysis.

The type of coordination required should reflect what happens at the national level in terms of biodiversity-related conservation policies and link with District initiatives to

sustainably conserve the natural resource base banking on successes in existing structures and capacity improvement.

#### The Monduli District Programme (MDP)

The efforts of the MDC and the NGOS come under the auspices of the Monduli District Programme. The MDP has a joint development fund to which NGOs/donors, district council and central government contribute. The operational plan of MDP funded projects is executed from January – December in a calendar year.

The long-term objective of the MDP is to further develop the Participatory Planning and Management Approach (PPMA) of community-based projects, and to embed it successfully into the regular Council Planning Cycles, in order to increase local ownership, stimulate local institution development, enhance project sustainability and enlarge the participation of women in planning and management.

#### 3.1 Environmental Protection

In January 1997, the Monduli District prepared an environmental profile called "Planning for a Better Environment in Monduli District" which among other things charted out strategies for better use of environmental resources.

Furthermore, each one of the forty nine villages in the District has formed an Environmental Committee to oversee and make sure that natural resources found in their respective village land are conserved and used on a sustainable basis for the benefits of present and generations to come.

The creation of Environmental Committees at the district and village level conforms to the National Environment Policy which envisages the creation of such committees and recognizes local authorities as institutions closest to the people and responsible for overseeing planning processes, and for establishing local environmental policies and regulations.

## 3.2 Community-Based Wildlife Management in Monduli

Monduli District is relatively rich in wildlife. Three National Parks and one conservation area border the district. There are no National Parks or Game Reserves within the district. However, there are three Game Controlled Areas (GCAs) in which about nine hunting blocks have been created (Annex 2). To what extent have wildlife resources benefited the District? The Wildlife Division approach to wildlife management areas and aspects of community involvement and benefit sharing are issues yet to be clarified at the district level. Decisions are made at the central level without involving district authorities as well as local communities.

The Monduli District authorities have realized that wildlife population in the District is fast disappearing because of poaching and unsustainable land use practices which do not favour growth and dispersal areas for wildlife. Most of the revenue collected from wildlife industry goes to the central government. Local communities are therefore loosing interest to conserve and sustainably use wildlife.

There are efforts started by the District to initiate a Community-based Wildlife management Project with activities aimed at sensitizing the people and creating awareness. For example, the AWF through the Partnership Options for Resource-use Innovation (PORI) programme is supporting community-based conservation activities. Also some NGOs like the Tanganyika Film and Safaris in collaboration with WISDOM, an American NGO, are sensitizing and educating local communities in Monduli District, on the importance of environmental conservation and sustainable use of biodiversity resources for the benefit of present and future generations.

Although there seems to be some positive steps in line with the new policy statements, there are some shortfalls. The new wildlife policy is silent on incentives. How to create trust and make people really committed to conservation is still a problem. Are the villagers really going to be allowed to use wildlife sustainably so as to create employment, source of protein through hunting and well arranged community based wildlife industry for example, photographic safaris, hunting etc? The people for example fail to comprehend that hunters just come to their area, shoot animals and go away without even paying them a courtesy. This clearly contradicts the Policy.

The whole question of benefit sharing and system of revenue collection still favours the Central government – this also a contradicts the Policy which seeks, through CBC WMAs, to enable local communities to manage and control wildlife resources around them.

In general local communities feel that policies on CBNRM are just in theories – even if districts will have good plans, national biodiversity-related policies are likely to face operational problems unless some discrepancies that exist in the policies are sorted out between policy makers and implementers. How to realize district plans into concrete actions on ground in the context of national policies is an issue to be addressed in the study.

## 3.3 Community-Based Forest Management in Monduli

There are seven Forest Reserves in Monduli District occupying about 27,000 ha or 1.8% of the district total land. These forests are in mountainous areas and three of these (Burko, Losimingori and Monduli) are the only catchment forest reserves under the jurisdiction of the central government (Forest and Bee-keeping Division (FBD). The rest are administered by the MDC authority through the District Natural Resources Officer (DNRO) assisted by the District Forest Officer (DFO). The wooded and bush-lands

represent about 50% and these areas are important sources of wood and non-wood forest products.

The new National Forest Policy recognizes community-based natural resource management (CBNRM) as a new management regime. It means that those forest reserves that come under this regime will be managed in practice by the respective village that adjoins such areas.

In order to implement the Policy efficiently, the FBD will therefore have the responsibility of designating the reserve areas that will be managed as Joint Forest Management and provide the guidelines for establishing those areas.

Monduli District however, is facing some problems in terms of capacity to manage forest resources within the district. It is further felt that the national forest policy and laws as well as lack of direct link between forest experts in the district and the parent technical Ministry, are some of the factors responsible for weakening district efforts to conserve biodiversity. The UNDP/GEF East Africa Cross-border Biodiversity Project is backing up district efforts by operating through existing local government structure. Through this initiative the Project builds linkages with biodiversity conservation activities implementing authority thereby enhancing sustainability.

#### 3.4 Survey Of By-Laws in Monduli

#### 3.4.1 By-laws under preparation

The District has already prepared by-laws to cater for the conservation of forest, land and tree planting. These by-laws review the existing ones which were narrow in scope and reach. The new by-laws cater for the ever-increasing human activities that lead to environmental degradation but they are not yet in force.

Village governments are also encouraged to formulate own by-laws aiming at controlling natural resources degradation and safeguard their performance. Let us now examine briefly some of the most important features of the district forest by-laws.

The by-laws are in Kiswahili and are titled "Sheria za Wilaya ya Monduli za Kuhifadhi Misitu, Ardhi, Upandaji miti na Utunzaji wa Miti za mwaka 1998." It is stated in the by-laws that they will come into force after being approved by the Minister responsible for local government.

The by-laws have been prepared under the Local Government (District Urban Authorities) Act No. 7 of 1982. They derive the definition of some terms from the Forest Ordinance (Cap 389) such as "forest officer", "license", "forest products", "forest", "trees" etc.

The by-laws creates various offences such as illegal entry into a forest area, harvesting of forest products without a license or permit, grazing in a forest area without a license or permit, setting fire in a forest area etc. The breach of the by-laws attracts punishment in the form of various fines and imprisonment.

The by-laws also stipulate that a Division, ward, village and "vitongoji" leaders who will fail to control fires in their areas will be legally responsible without mentioning what kind of punishment they will suffer from.

Furthermore, the by-laws obligate artisanal miners to avoid cutting down trees when opening up new mining areas and to cover mining pits immediately when mining activities are over.

# 4. Draft Proposal For An Analysis Of Biodiversity-Related Policy Issues In Monduli

#### 4.0 Introduction

Despite Tanzania being internationally recognized as a key country for the conservation of biodiversity in the world, the country is still losing significant amounts of her biodiversity resources. A number of factors account for this state of affairs including population pressure and bad sectoral policies. Experiences from district and local communities indicate that population increase together with lack of viable alternatives force people to overexploit the natural resources around them.

The majority of Tanzanians (over 80%) live in rural areas (rural communities). These communities depend largely on natural resources such as wildlife and forests for their livelihoods. The conservation efforts particularly in the wildlife sector have sought to improve the well-being of natural resource-dependent rural communities by involving them in managing the resource as well as in sharing in the benefits that accrue from these resources.

Most of the natural resources are found in districts and villages. These are therefore the focal points in resource conservation. However, the biodiversity-related policies and laws that guide the management and use of these resources are formulated at the national level with an implementation process thus assuming a top-down approach.

National sectoral policies have not yet made any significant contribution towards sustainable conservation. Instead, they have contributed to conflicts and antagonisms as they tend to favour central government instead of being supportive and empower local authorities to manage and control wildlife and forestry resources around them.

Recently some efforts have been done and some sectoral policies have been revised and new ones have been created which address issues of local community involvement and support in natural resource management. Though a good step forward, this move needs some concrete actions and activities on ground. This means that in order to register an impact – (biodiversity conservation, sustainable development and improved livelihood to the local communities) – a change is required both in policy formulation and implementation processes, such that local communities become more active in decision-making, policy formulation and implementation.

A major concern of the people at the grassroots level as far as the conservation of wildlife and forest resources are concerned and the related policies is how they can be harmonized in order to cater for their needs and ensuring sustainable biodiversity conservation.

In the changing policy and structural context which is emerging in the wildlife and forest sector in the country, a third management regime has emerged: the devolution of community-based Natural Resource Management (CBNRM) outside protected areas on lands owned by communities and supported by local districts. However, for CBRNM to be successful it requires supporting policies and an appropriate legislative framework. To gauge opportunities for success, there is need to find out how they relate to, and are applied by the districts.

#### Objective of the study

The proposed study will be carried out in Monduli District where life styles are rapidly changing. Historically, the Maasai always looked down upon cultivation as a productive activity that seemed to them to be clearly inferior to (nomadic) pastoralism. However what is happening now in Monduli District is a rapid diversification among Maasai away from a pure livestock economy toward agriculture and other investments like education.

The objective of the study are:

- To make a detailed analysis of both the wildlife and forest policies to determine gaps, overlaps and areas of conflict between the two policies.
- Through a participatory analysis and using Monduli as a case study, suggest how gaps between policy formulation and policy implementation processes can be removed.
- Suggest an effective way of harmonizing and coordinating biodiversity related policies at all levels but with an emphasis on the district and local community level.
- To find out how can districts become effective focal points for sustainable biodiversity conservation.

#### **Expected outputs**

A detailed analytical report with a clear focus on formulation and implementation of biodiversity-related policies at the district and local community levels with reference to wildlife and forestry policies.

#### Scope of work

The work will involve a number of interested parties both at national and local levels including villagers and village/local community leaders/elders. Thus a working mechanism should be adopted which emphasizes a participatory analysis approach. At the national level relevant sectors or institutions including wildlife, forestry, livestock, agriculture, water, lands and environment should be visited. Also donor institutions views such as USAID, NORAD, UNDP, FAO, FINNIDA, GTZ, DANIDA, JICA, the World Bank, etc. would be invaluable. At the district level, local government departments,

NGOs, CBOs, donor agencies e.g. AWF etc. should be contacted for their views on the study.

At the village/community level, the opinion of village elders/leaders, women groups, the youth and religious groups should be sought.

An effort should also be made to solicit views from other related projects or institutions associated with biodiversity conservation in Monduli District. Private individuals and commercial hunting companies should also be interviewed as they can influence and/or affect policy formulation and/or implementation at the district level.

#### **Team Composition**

#### **Proposal:**

The Study Team should be comprised of the following experts:

- 1) Natural Resource Expert
- 2) Socio-Economist
- 3) Legal and Policy Expert
- 4) Agricultural scientist

#### Timing of the study

The study could be carried out between mid-February and April 1999. Given the nature of the work involved, sufficient time should be allocated to the study to take care of field work, analysis of issues and writing the report.

#### Areas, Issues to be addressed and Level of Effort Required

#### **Proposal:**

The Study Team should concentrate on the following areas:

- 1) Policies governing access to and use of key resources such as water resources, especially mountain springs.
- 2) Policies governing burning of range-lands.
- 3) Policies regulating hunting, including allocation of fees, tourist use of forest resources and camping at springs tenure issues of wildlife as a mobile resource; tenure to resources on land and tenure of land itself.
- 4) The control of land-usage non-compatible with pastoralism and with biodiversity conservation; such as cultivation of mountain slopes, moister valley etc.

### 4.1 Access to and Use of Key Resources (Water)

Water supply and management are an important activity in Monduli District. Water resources are seasonal in the sense that a large part of the District is semi-arid in nature. Perennial surface water (springs, rivers) according to the district report (Planning for a Better Environment in Monduli District (1997), show a seasonal variation in flow. Water is mainly for domestic uses, livestock drinking and irrigation purposes. Since water is relatively a scarce resource in Monduli District, planning for its optimum use is crucial.

Because of lack of sufficient supply of water people as well as livestock have encroached forest areas. This has lead to the destruction of water sources. The mountain forests in Monduli District act as catchment areas for all the water for wildlife, livestock and human use. Timber logging (pit sawyers) near catchment areas has also interfered with water supply in the District.

Despite good Government intentions to empower local government authorities and enhance their performance as well as owning and controlling resources, there is little indication in the Water Policy or water laws to support the move.

According to the Water Policy and water laws ownership of water will continue to be with the state. Although according to the Policy, local communities will have the responsibility of managing such resources, tenurial rights in the water resource is yet to be properly defined under the existing legal framework.

Local communities in Monduli District believe that the Central Government is not giving them enough authority to effectively protect the water resources.

Most villagers believe however, that the village level is the correct starting point for effective and sustainable protection and management of water resources. That given support, they could achieve this and they want to take up this role on the basis of recognition of their respective adjacent areas of Monduli as under their local custodianship, and with properly specified powers along with responsibility.

#### **Proposal:**

The study team should explore ways in which local communities (the beneficiaries) can be owners of water schemes.

## 4.2 Burning of Range Land

Traditionally the Maasai people are very environmentally friendly and for many decades have lived in harmony with the environment. But on the other hand, they use fire as one of the range management strategy in order to regulate the population of ticks and to create new pasture. In so doing biodiversity is affected.

#### **Proposal:**

The Study Team should:

- 1) Explore ways of bringing under control and minimize the damage caused by wild fires.
- 2) Recommend how to promote the use of prescribed fires for management programmes through management plans.

# 4.3 Hunting Fees, Allocation of Hunting Quotas, Access to Resources

The consequences of centrally licensed activities come out clearly in relation to the creation of hunting blocks and licensing of commercial hunters. For example, the Monduli District authorities had recommended that only five hunting blocks would be ideal for the district but instead the Ministry for Natural Resources and Tourism through the Wildlife Division decided to create nine hunting blocks in the district. As a result Monduli District which is a Game Controlled Area has nine hunting blocks surrounded by forty seven villages. Consequently, this has lead to an increase in hunting in the district to the detriment of the resources and local communities.

The Ministry responsible for natural resources assumes the responsibility of creating hunting blocks, granting of hunting licenses and allocating hunting quotas. The district authorities and village governments cannot decide on the activities of, neither do they have legal powers to control centrally licensed commercial hunters. Hunting companies once given licenses they conduct their activities without the knowledge of the district authorities. This weakness does not only lead to administrative conflicts but also makes the companies do what they want including over-cropping and sub-leasing to other companies. Furthermore, the same license can be used several times.

Attempts by district authorities and village governments to control these commercial hunters have met with serious problems. For example, it was reported that the Inter-Con Hunting Co. Ltd., one of the licensed commercial hunting companies in the district, had established its hunting camp within a wildlife corridor thus interrupting the smooth movement of the animals especially elephants. Because district authorities have no legal powers, it was a hard fight to dismantle the camp. Now if the District Commissioner is in charge of the district and one of his duties is to oversee government policies as well as ensuring that law and order is observed, then it is a contradiction that natural resources within the district boundaries are controlled at the national level.

Although hunting blocks are surrounded by villages when commercial hunters enter the village land, they do not report to the village authority or even bother about people and their properties. Following discussions at a meeting of Village leaders and elders at Kimokouwa Village in Longido Division, Monduli District, it was realized that

commercial hunters just shoot the animals the way they want and the villagers hardly can do anything. Attempts by the Village government leaders to intervene have brought very unpalatable consequences. For instance, it was reported at the meeting that Wingert Windrose Safaris Ltd., one such licensed commercial hunting companies, has been in conflicts with the village government leaders and sometimes the company has suppressed efforts by the villagers to control the activities of hunting companies. The village leaders/elders at that meeting remarked that government policies and laws should recognize people at the grassroots and local authorities for example, District and Village Councils as the legitimate authorities and empower them to control biodiversity resources within their areas. This means that the laws should stipulate very clearly that district, ward and village authorities can effectively manage biodiversity resources around them.

The villagers at that meeting felt that biodiversity-related policies favour outsiders and in most cases, these policies are unknown to them. They see hunters both licensed and illegal ones coming and shooting animals around them taking as much as they can without any kind of control or monitoring either by the district or village authorities. Consequently, the ecological processes have been disturbed to the extent that lions are now forced to eat cattle or goats, as the number of wild animals that once served as their food has sharply dwindled. The villagers consider the situation to be out of control and are bitterly complaining that they are being humiliated within their own land.

Various district officials that were interviewed including the District Commissioner and District Executive Director were of the opinion that although the new national biodiversity-related policies theoretically advocate devolving and transferring the management of natural resources to local authorities, in practice things are different on the ground. Citing wildlife resources as an example, the district leaders observed that the existing wildlife legislation gives the Director of Wildlife wide powers to make critical decisions relating to the use of natural resources. The decisions affect biodiversity and local communities such as establishing hunting blocks as well as issuing hunting licenses and permits without involving local communities and district authorities.

On benefit sharing, the Monduli district authorities feel that the 25% they receive as the district share of the money collected from hunting fees does not reflect the true value of the wildlife resources taken from the area. The share is considered to be too little. The decision to allocate 25% of revenue from wildlife to districts was made ad hoc and arbitrarily due to political pressure. Other government natural resource departments which have retention schemes are the forestry 75%; fisheries 100%; and tourism 25%. The intention was that the money accruing from the retention schemes was for supporting central government activities at the district level. However, district authorities want the money to support their other development activities. The remaining percentage goes to Treasury.

It is pertinent that the stakeholders should be identified and the relative distribution of revenue and benefits to stakeholders should be considered taking into consideration their relative roles in biodiversity conservation, the effort invested in conservation of the resource, and the institutional and management costs involved. How are stakeholders

going to be involved in determining distribution of revenue and benefits among themselves? How proportions for benefit sharing by the stakeholders going to be determined and varied from time to time? How can the system of creating and allocating hunting blocks be made transparent so as to ensure that it is acceptable by majority of stakeholders? How hunting quotas can be set, on a scientific basis, and how the monitoring of wild animal populations that are hunted going to be effected? How commercial hunters can be monitored and controlled so that infringement of rules and regulations does not take place? These are some of the issues worth exploring further in the in-depth study.

#### **Proposal:**

- 1) The study team should explore and recommend better ways in which village governments in Monduli District can have control over commercial hunters and the acceptable mechanism for its implementation.
- 2) The Study Team should also examine the current system of benefit sharing and recommend how it can be improved.
- 3) The Study Team should also explore whether establishing tenurial rights in natural resources particularly wildlife and forest will be antithetical to traditional Maasai community values, and inimical to Maasai communal systems of resource management or will help in providing an incentive to resource conservation and if positive suggest how could this be effected.

# 4.4 Control of Land-Usage, Non-Compliance with Pastoralism and With Biodiversity Conservation

A large part of land in Monduli District is classified as pastoral land followed by game controlled areas. Effective land use planning hinges on traditional Maasai pastoral system being successful in terms of using resources on a sustainable manner. However, there have been some changes of life styles among the Maasai who to a limited extent are now becoming semi-sedentary. Thus, land use planning must take cognizance of this by considering some cultural factors that have instigated the Maasai people to behave the way they are behaving now. It takes a long time to change human behaviour, outlook and perceptions though. What has led the Maasai to engage themselves in some farming activities and become semi-sedentary are some of the issues to be considered in land use planning. Can the Monduli District consider such a change in the Maasai culture as positive change for striking a sustainable land use plan?

In Monduli District local tenure over uncultivated land, grazing, forest products, and wildlife resources has proved much more elusive. As a result, communities resident in, and depending on, the woodlands and grazing areas have been disadvantaged by prejudicial system of policy and tenure in their attempts to manage their own environments.

Monduli District has a total of forty-nine villages. A large part of these villages have not been surveyed and mapped. This has made it difficult for the District Land Office to set clear boundaries for purposes of village land registration in order to issue Certificates of Land Use and Occupation.

Lack of clear village boundaries has also led to an increasing encroachment on Maasailand in Monduli District by migrant farmers. These farmers take up large tracts of land for cultivation, cut down trees for charcoal burning which they sell in the surrounding urban areas of Arusha and Namanga in violation of Monduli district by-laws which ban the making and sale of charcoal.

Similarly, some people have taken advantage of the absence of clear village boundaries by resorting to customary claims and acquire large tracts of land. Most of the land so acquired lies idle thus creating an artificial shortage of land in the District.

The new National Land Policy takes cognizance of the fact that land uses in game controlled areas (GCAs) occupy most of the land in Kiteto, Monduli, Ngorongoro and Karatu districts. An overlapping land use allows other activities like agriculture, settlements, and ranching to take place simultaneously. This has led to serious land use conflicts and disputes.

The Policy envisages that game controlled areas not bordering wildlife conservation areas are going to either be upgraded or turned to land for settlement. The Policy directs however, that before game controlled areas are upgraded or turned to settlement land, detailed studies will be made to determine the wildlife ecosystems in the game controlled areas.

The least-developed part of Tanzania's management approaches for biodiversity conservation is that for wildlife outside of protected areas, although this is an area of rapid growth and opportunity. However, the designation of "Game Controlled Areas" (GCAs) for wildlife-rich areas outside of protected areas has, as yet, not been provided the communities which own the land with the authority and means necessary to manage wildlife sustainably. As a result, wildlife, wildlife habitat and other natural resources have been in steady decline over the past decades in most such areas.

As many GCAs are adjacent to parks and reserves, there could be opportunities for mutual ecological and economic benefits that could be shared between the protected areas and the communities.

Livestock grazing by Maasai herders in the mountain forest reserves during the dry season is a common activity in Monduli District.

#### **Proposal:**

The Study Team should explore the best mechanism for devolving and promoting community-based wildlife resource management outside protected areas on lands owned

by communities, and supported by the District and recommend how to provide the communities with the authority and means necessary to manage wildlife sustainably.

## **Conclusion**

The new biodiversity-related policies emphasize the need to allow local communities to manage natural resources on their own land for their own benefit. The policies also recognize that the state shall retain the ownership of and overall responsibility for management of natural resources and that rural communities must benefit from these resources.

Despite the good intentions of the government, community-based Natural Resource Management (CBRNM) as an emerging management regime for the promotion of biodiversity does not yet find expression in the existing legal framework for biodiversity conservation.

Local communities to a large extent are still being excluded from the policy formulating process and even from the planning and management of the biodiversity resources that are within their areas. Biodiversity resource management decisions continue to be taken by remote central government officials and not at the local level. As a result, local communities feel strongly that government policies on biodiversity are in favour of outsiders.

### References

Bruce A. Byers, (1996). *Understanding and Influencing Behaviours in Conservation and Natural Resources Management*. African Biodiversity Series, No.4, Biodiversity Support Programme

Chambers, Robert, (1992). "Participatory Rural Appraisals: Past, Present and Future." *Forests, Trees and People Newsletter* 15/16, Feb. 1992.

Harmut Krugmann, Cleophas Torori, and Stephen Ngigi, (1997). Access, Use and Conflict over Water Resources: The Case of Rombo Small-scale Irrigation Scheme in Kajiado District. Environmental Policy Research, African Centre for Technology Studies (ACTS), Nairobi, Discussion Paper No.3.

Hough, John, (1988). "Obstacles to Effective management of Conflicts between National Parks and Surrounding Human Communities in Developing Countries." Environmental Conservation 15(2).

IIED, (1994). Whose Eden? An Overview of Community Approaches to Wildlife Management, London.

Johansson, Lars and Allan Hobes, (1992). "RRA's for Land Policy Formulation in Tanzania." *Forests, Trees and People Newsletter* 15/16 (Feb.1992).

Lucy Emerton, (1996). Valuing the Environment: Case Studies from Kenya. African Wildlife Foundation, Nairobi.

Mary Hobley, *Participatory Forestry: The Process of Change in India and Nepal*, Rural Development Forestry Study Guide, Rural Development Forestry Network Overseas Development Institute, London, 1996.

Monduli District Integrated Development Plan 1999.

Meinderstma Douwe, J. and Jan J. Kessler (eds.) *Planning for a better environment in Monduli District*, January 1997.

Metacalfe, Simon, (1994). "The Zimbabwe Communal Areas Management Programme for Indigenous Resources (CAPFIRE). In *Natural Connections: Perspectives in Community-based Conservation*. Western, David and R. Michael (eds.). 1994. Washington, D.C. and Covello, Calif.: Island Press.

Murphee, Marshall, W., (1994) "The Role of Institutions in Community-based Conservation." In *Natural Connections*...

Socio-Legal Analysis of Community-Based Conservation in Tanzania: Policy, Legal,

Institutional and Programmatic Issues, Considerations and Options, prepared by Lawyers Environmental Action Team (LEAT) for EPIQ, April, 1998

Solomon Tilahun and Sue Edwards (eds.) *The Movement for Collective Intellectual Rights*, Institute for Sustainable Development, Addis Ababa; the Gaia Foundation, London, 1996.

*Tanzania Forestry Action Plan* 1990/91 – 2007/08, Ministry of Lands, Natural Resources and Toursim, September 1989, Dar es Salaam.

Torori, C., and E. Ouko, (1995). "Governance of Water Resources in Kenya: Integrating Local Communities in Resource Management." A Concept Paper prepared for the Project: Environment and Governance in Kenya: Towards Policies for Community-based Water Resources Development, presented at the Initiation Workshop held at ACTS, Sept. 21-22, 1995, Nairobi, Kenya.

Voss, J. and R. MacLean, (1994). "Allocation of Water Resources in Africa: The Potential for Moving Water in and out of Agriculture." Paper presented to Pan-African Workshop on Water Management sponsored by IDRC, Cairo, 5 th – 8 th December 1994.

Wily, Liz, Finding the Right Institutional and Legal Framework for Community-based Natural Forest Management: The Tanzanian Case, Center for International Forestry Research (CIFOR), Special Publication, Jakarta, Indonesia, 1997.

Wily, Liz, "Notes on Finding the Right Legal and Institutional Framework for Formalising State-People Collaborative Management of Territorial Forest Reserves," prepared for Gologolo Project, 4<sup>th</sup> March 1998.

## Annex I List Of Materials Collected

The National Environmental Policy, Vice President's Office, Dar es Salaam, December 1997.

The National Land Policy, Ministry of Lands, Housing and Urban Development, Dar es Salaam, June, 1995.

The Wildlife Policy of Tanzania, Ministry of Natural Resources and Tourism, Dar es Salaam, March, 1998.

The National Forest Policy, Ministry of Natural Resources and Tourism, Dar es Salaam, March, 1998.

The Water Policy, Ministry of Water, Energy and Minerals, Dar es Salaam, 1991 (English Version - Draft); and [Sera ya Maji - Kiswahili version].

The National Fisheries Sector Policy and Strategy Statement, Ministry of Natural Resources and Tourism, Dar es Salaam, December, 1997.

The Investment Promotion and Protection Policy, 1990, Ministry of Trade and Industry, Dar es Salaam.

# Annex II List Of People Interviewed

- 1. Mrs. Nebbo Mhina Wildlife Divison
- 2. Mr. Mgonja J. Eliazar Wildlife Division
- 3. Mr. Issaya Mnangwone Forest and Beekeeping Division
- 4. Mr. Geraz Mashurano Forest and Beekeeping Division
- 5. Mr. Kayega- Division of Environment
- 6. Mr. R.P. Yonaz Division of Environment
- 7. Mrs. G. Kamuzora Planning Commission
- 8. Prof. Kulaba Ministry of Lands and Settlements
- 9. Mr. Mutakyamilwa Ministry of Lands and Settlements
- 10. Mr. A.D. Chonya Ag. District Executive Director (DED) Mondulki District
- 11. Mr. Mushi District Wildlife Officer (DWO) Monduli District
- 12. Mr. I. Hassan Catchment Forest Officer (CFO) Monduli District
- 13. Mr. M. Lubambula District Natural Resources Officer (DNRO) Monduli District
- 14. Mr. A.P. Mlingi Acting District Land Officer (DLO) Monduli District
- 15. Mr. Kiboma Outgoing District Lands Officer (DLO) Monduli District (transferred to Simanjiro District)
- 16. Dr. W.A. Rogers Regional Coordinator UNDP/GEF East African Cross border Biodiversity Project Arusha
- 17. Mr. J.Y. Salehe National Project Manager UNDP/GEF/NEX East African Cross Border Biodiversity Project Arusha
- 18. Mzee Paulo Shungueya Village Elder Loongito (Longido)
- 19. Mr. Longeso Ndoipo Kitongoji Chairman Loongito
- 20. M/s. Esupat Ngulupa Member Loongito Village Council
- 21. M/s Mushi Division Executive Secretary Loongito Division
- 22. Mr. Peter Koisianga Tanganyika Film and Safaris Company
- 23. Mr. Fred WISDOM Wildlife for Development of Man an NGO for Wildlife Conservation
- 24. Mr. Yohana Lendi Village Executive Secretary Tingatinga Village, Loongito Division
- 25. Mr. Melita Karaine a village elder Loongito

# Annex III List Of Hunting Companies With Hunting Blocks In Monduli District

- 1. Wingert Windrose Safaris Ltd.
- 2. Northern Hunting Enterprises Ltd.
- 3. Tanzania Bundu Safaris (T) Ltd.
- 4. Robin Hurt Safaris (T) Ltd.
- 5. Tanzania Game Trackers Safaris Ltd.
- 6. InterCon Hunting Co. Ltd.
- 7. Old Nyika Hunting Safaris Ltd.
- 8. Tandala Hunting Safaris and Co. Ltd.
- 9. Tanzania Wildlife Corporation (TAWICO).